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12.		

SUSPENSE

26 JULY 87

Date

Action Officer:

Remarks:

STAT

16 JULY 87

Name/Date

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OCA 87-2997

OFFICE OF CONGRESSIONAL AFFAIRS
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SUSPENSE 16 JULY 87
 Date

Action Officer:

Remarks:

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16 JULY 87
 Name/Date

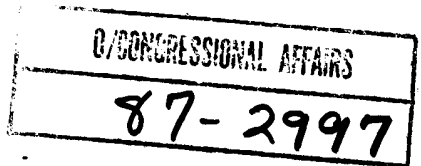
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**EXECUTIVE OFFICE OF THE PRESIDENT
OFFICE OF MANAGEMENT AND BUDGET
WASHINGTON, D.C. 20503**

July 13, 1987

LEGISLATIVE REFERRAL MEMORANDUM



TO: Legislative Liaison Officer

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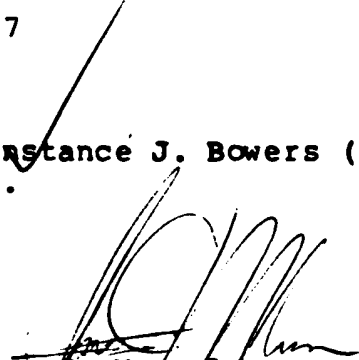
SUBJECT: NASA and GSA proposed reports on H.R. 1615 -- "To establish the Government Information Agency."

The Office of Management and Budget requests the views of your agency on the above subject before advising on its relationship to the program of the President, in accordance with OMB Circular A-19.

A response to this request for your views is needed no later than

THURSDAY -- JULY 16, 1987

Questions should be referred to Constance J. Bowers (395-3457), the legislative analyst in this office.


**James C. Murr for
Assistant Director for
Legislative Reference**

Enclosures

**cc: Penny Jacobs
John Cooney
Rob Veeder
Fran Clark**

**David Haun
Norine Noonan
Tim Sprehe
Gene McAllister**

**Rosemarie Dale
Jan Mares
Arnold Donahue**

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Department of Energy (09)	Bob Rabben	586-6718
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NASA (19)	Toby Costanzo	453-1080
General Services Administration (37)	Al Vicchiolla	566-0563
National Science Foundation		
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~~NASA DRAFT REPORT TO THE~~
Congress, 1st Session, H.R. 1615

XC:KHS:tsc

NASA

Honorable Jack Brooks
Chairman
Committee on Government Operations
House of Representatives
Washington, DC 20515

Honorable Robert A. Roe
Chairman
Committee on Science, Space
and Technology
House of Representatives
Washington, DC 20515

Dear Mr. Chairman:

The National Aeronautics and Space Administration has reviewed the bill H.R. 1615, "To establish the Government Information Agency to enhance the economic, scientific, and technological position of the United States by acquiring, processing, and distributing the fruits of federally performed and federally sponsored research, development, and analysis, and for other purposes," and voluntarily submits the following comments on the impact of this legislation.

Title I of this bill would establish a new agency in the executive branch, the Government Information Agency (GIA), whose function it would be to acquire, process, and sell the results of federally-performed and federally-funded research, development, and analysis. GIA would be appropriated an amount of \$10 million for the initial expenses of establishing the agency, and \$5 million as initial capital for the revolving fund which would provide for the costs of carrying out the functions of the agency. The National Technical Information Service (NTIS) of the Department of Commerce and all functions of any other Federal agency which relate to the sale or distribution of Government information to the public (to be determined by the Director of the Office of Management and Budget) would be transferred to GIA. Each Federal agency would be required to provide GIA a copy of

all information developed or received by the Federal agency in connection with research, development, or analysis performed or sponsored by that agency. GIA would be authorized to establish and impose reasonable fees and charges for the sale of Government information. These fees and charges would be deposited to the revolving capital fund.

Title II of the bill would establish a Joint Committee on Government Information, composed of four members from the House of Representatives and four members from the United States Senate, which would have oversight responsibility with respect to GIA.

The effect of this bill would be to create a new agency that would consolidate the results of all Federally performed or funded research and development into a single point of sale to the public. Presently, the U.S. Government Printing Office (GPO) and the National Technical Information Service (NTIS) provide this service. We empathize with the desire to centralize the point of sale and distribution of all Government information to assist the public in trying to determine where to obtain scientific and technical information. In our opinion, however, the bill would create another bureaucracy that is not necessarily more cost effective or efficient, and that would duplicate the functions which the affected technical agencies already perform and must continue to perform in order to supply the documents and other information to GIA. The proposal appears to us to be impractical and likely to introduce further administrative paperwork.

According to this bill, all public information dissemination responsibilities of other Federal agencies would be transferred to GIA. Presumably, this would include those currently being performed by NASA. But the NASA charter (as provided by the National Aeronautics and Space Act of 1958, as amended (the Space Act)), would continue to direct NASA to provide for the widest practicable and appropriate dissemination of information concerning its activities and the results thereof. Given this responsibility (with which NASA is quite properly vested as an important element of its mission) the transfer of this function and the requirement for NASA to also provide to GIA "a copy of all information developed or received by (NASA) in connection with research, development, or analysis" for dissemination by GIA, would be inefficient; they would add extra steps and additional time delays in the dissemination process.

The bill would require the transfer from NASA to GIA of those functions which relate to the sale of Government information to the public, most of which are carried out through the Scientific and Technical Information Facility (STIF). NASA's Technology Utilization Program, particularly the Industrial Applications Centers, relies heavily on STIF for the automatic distribution of copies of all NASA reports, technical memoranda, technical notes, and contractor reports, and for quick delivery of special orders to industrial clients. Since the identification and delivery of particular documents represents the culmination of the automated search and retrieval process, any action which could retard or encumber the rapid flow of documents could severely compromise NASA's ability to transfer technology to U.S. industry.

While we agree that the concept of creating a single agency for distribution and sale of scientific and technical information may have appeal, we believe it to be impractical and duplicative. For this reason, and its potential adverse impact on NASA, we cannot support H.R. 1615. We do not believe that it would enhance or simplify our current system of information distribution.

The Office of Management and Budget has advised that, from the standpoint of the administration's program, there is no objection to the submission of this report to the Congress.

Sincerely,



Administrator
General Services Administration
Washington, DC 20405

DRAFT

Dear Mr. Chairman:

Your subcommittee requested the views of the General Services Administration (GSA) on H.R. 1615, a bill "To establish the Government Information Agency to enhance the economic, scientific, and technological position of the United States by acquiring, processing, and distributing the fruits of federally performed and federally sponsored research, development, and analysis, and for other purposes."

If enacted, H.R. 1615 would establish a Government Information Agency (Agency) and would transfer to this new Agency all functions of any other Federal agency that relate to the sale or distribution of Government information to the public, as determined by the Director of the Office of Management and Budget. Moreover, the Agency would have rule making authority over all scientific, technical, business, and economic information and data, in any form, which is in the possession or control of any Federal agency. GSA opposes enactment of this legislation for the reasons set forth in the remainder of this letter.

Most importantly, GSA does not believe that a need for an independent new agency has been demonstrated. One of the major purposes of this legislation is to facilitate the sharing of Government produced technological information within our Nation's research and development community. Nevertheless, there has been no indication that the establishment of the Agency would result in more efficiency, economy, or service to the public. In fact, the private sector, using advanced electronic technology, is capable of performing most of the proposed Agency's intended functions.

In addition, we believe that any perceived benefits from a centralized Government information agency do not outweigh the possible pitfalls that may result from its establishment. For example, although H.R. 1615 specifically exempts classified information from the Agency's purview, it has been our experience, based upon the organizations that currently serve as repositories for the Government's technical information, that the problems with differentiating classified from unclassified information of this kind would be exacerbated in a centralized agency. This centralized agency would possess far less knowledge about the sensitivity of information under its control and would exercise less access and distribution controls when they were necessary.

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With respect to the latter point, we note that several agencies, including the Departments of Defense and Energy, now have specific authority to restrict access to sensitive but unclassified technological information under their control. This authority would presumably not extend to the proposed Agency, thereby creating a serious threat to much information whose protection is considered critical to national security. In order to protect this information, agencies would resort to classifying it. We note that this would, in fact, contradict one of the major purposes of this legislation which is, as pointed out in the second paragraph, the sharing of Government produced technological information within our Nation's research and development community.

Finally, we have the following concerns with certain administrative provisions in this legislation:

First, GSA cannot support sections 114 and 117, which authorize the Agency to enter into a contract and to acquire or lease real or personal property. As currently drafted, these sections do not have provisions that subject these authorities to the Federal Property and Administrative Services Act of 1949, as amended (Property Act). We do not believe that the mission of the proposed Agency is of such a specialized nature that GSA could not provide the necessary support or, where appropriate, that the rules and regulations prescribed by GSA for acquiring property not be followed.

Second, we oppose the last sentence of section 115 that authorizes the head of a Federal agency, notwithstanding any other provision of law, to transfer or to receive from the Agency, without reimbursement, supplies and equipment other than administrative supplies or equipment. Statutory provisions for personal property transfers among Federal agencies should be consistent throughout the Government. Therefore, we object to this last sentence as unnecessary and duplicative given section 202 of the Property Act, which provides uniform procedures, under GSA auspices, for transfer of excess personal property among Federal agencies.

Third, section 119, as currently drafted, authorizes the Administrator of the Agency to accept, hold, administer, and utilize gifts, donations, or bequests of real and personal property for the purpose of aiding or facilitating the work of the Agency. However, the section is silent as to the disposition of the property when it is no longer needed by the Agency. We believe that, at a minimum, this section should be clarified to ensure that disposal of property, in accordance with the Property Act, would be coordinated with the existing Governmentwide property utilization and disposal system administered by GSA.

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The Office of Management and Budget has advised that, from the standpoint of the Administration's program, there is no objection to the submission of this report to your subcommittee.

With best wishes.

Sincerely,

Terence C. Golden

The Honorable
Jack Brooks
Chairman, Subcommittee on
Legislation and National Security
Committee on Government Operations
House of Representatives
Washington, DC 20515